

RESOLUTION ANNOUNCING THE AWARDING OF SUBSIDIES UNDER THE "INNOVA INVEST PROGRAMME" LAUNCHED BY ICEX ESPAÑA EXPORTACIÓN E INVERSIONES, E.P.E. WITHIN THE FRAMEWORK OF THE RECOVERY, TRANSFORMATION AND RESILIENCE PLAN.

On 25 November 2021, Order ICT/1292/2021 of 15 November was published in the Official State Gazette, establishing the funding rules for the award of subsidies under the INNOVA INVEST Programme launched by ICEX España Exportación e Inversiones E.P.E., and calling for applications in 2021 within the framework of the Recovery, Transformation and Resilience Plan. Through this programme, subsidies are awarded to promote foreign investment, with the aim of attracting innovative, technology companies with a high R&D&I component to Spain.

In accordance with the aforementioned regulation, the CEO of ICEX España Exportación e Inversiones, E.P.E., acting through powers delegated by the Chair, has approved this second "INNOVA INVEST Programme" call in accordance with the provisions of the following articles:

Paragraph 1. Purpose of the call, purpose of the award and conditions.

1. Subsidies are called in the terms established in the funding rules in Order ICT/1292/2021 of 15 November.
2. The purpose of these subsidies as part of the INNOVA INVEST programme is to promote investments in Spain by foreign companies with a high degree of innovation, fomenting their integration with the national production and research fabric, and to ensure that these represent a contribution to improving the competitiveness and productivity of the Spanish economy.
3. This call for applications forms part of the Government of Spain's investment 5, Internationalisation, Part 13, Promotion of SMEs, the Recovery, Transformation and Resilience Plan (hereinafter the Recovery Plan) and will contribute to achieving the corresponding objectives, pursuant to recovery and resilience regulations and the Recovery Plan at a European and national level.
4. The granting of subsidies is conditional on the existence of adequate and sufficient credit at the time of the award.
5. The minimum amount for all eligible items included in each application shall be at least 500,000 euros.
6. The maximum subsidy per beneficiary will be 800,000 euros, and will be determined as a percentage of the eligible items in accordance with the following maximum aid intensity percentages, depending on the size of the company and the type of project:

	Small companies	Medium-sized companies	Large companies
Industrial research	70%	60%	50%
Experimental development	45%	35%	25%

To establish the type of project referred to in the above table, industrial research projects and experimental development projects shall be considered pursuant to the definitions in Articles 2(85) and 2(86) of Commission Regulation (EU) No 651/2014 of 17 June 2014.

Furthermore, in determining the size of the company, the criteria set out in Article 2 of Annex I to Commission Regulation (EU) No 651/2014 of 17 June 2014 shall be employed.

In any case, the amount of financing may not exceed the cost of the activity.

7. The foreign stake in the beneficiary company must account for at least 50% of its share capital, with the provision that the country or region in which it is located is not classified as a tax haven in line with Spanish regulations.

8. The subsidy must have an incentive effect on the activity to be financed according to article 3 of the order establishing the programme's funding rules.

9. The subcontracting of activities is set out in article 7 of the order establishing the programme's funding rules.

Paragraph 2. Applicable regulations.

1. The subsidies regulated in this call for applications shall be governed, in addition to the provisions thereof, by the provisions forming the funding rules in Order ICT/1292/2021 of 15 November, Law 38/2003 of 17 November, General Subsidies, Royal Decree-Law 36/2020 of 30 December, Royal Decree-Law 36/2020 of 30 December, approving urgent measures for the modernisation of Public Administration and for the implementation of the Recovery, Transformation and Resilience Plan, the Regulation in Law 38/2003 of 17 November, General Subsidies, approved by Royal Decree 887/2006 of 21 July, and by any other applicable regulations in force.

2. Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, and Commission Regulation (EU) 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market, in accordance with Articles 107 and 108 of the Treaty Text, also apply to such subsidies.

Paragraph 3. *Financing.*

The budget allocated to this call amounts to 5,160,795.36 euros, and will be financed through budget allocation 20.50.43ME.742 of the 2022 National Budget. This item is being funded by the EU Recovery and Resilience Facility, established under Council Regulation (EU) No 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument for supporting recovery from the Covid-19 crisis and regulated pursuant to Regulation (EU) No 2021/241 of the European Parliament and of the Council, of 12 February 2021.

Pursuant to the provisions of Article 7 of Law 22/2021 of 30 December, and Article 37 of Royal Decree-Law 36/2020 of 30 December, the funding corresponding to these subsidies is legally dedicated to funding projects or actions that form part of the Recovery Plan.

Paragraph 4. *Procedure for awarding subsidies.*

1. The procedure for awarding subsidies will be competitive bidding, with applications submitted by potential beneficiaries in accordance with the principles of publicity, transparency, equal treatment and non-discrimination.

2. The criteria for evaluating applications will be those set out in the funding rules in Article 18 of the Order.

Paragraph 5. *Requirements to apply for the subsidy and certification.*

1. Article 5 of the order establishing the funding rules sets out the following requirements to qualify as a beneficiary:

a) Perform an economic activity, whatever its legal form. They must prove that they are registered in the Census of Employers, Professionals and Withholders held by the Spanish Tax Authority or in the equivalent census held by the Regional Tax Authority, which must reflect the economic activity actually carried out on the date of applying for the aid.

b) Be validly incorporated in Spain at the time the subsidy is awarded.

c) Have a foreign stake of at least 50% in its share capital. Foreign shareholders with a stake in the capital may be either legal entities domiciled abroad or natural persons not resident in Spain.

d) Have no outstanding debt with ICEX.

e) Satisfy the requirements of Article 13.2 of Law 38/2003 of 17 November.

f) Not be considered a "company in difficulty", pursuant to Article 1.4.c) of Commission Regulation (EU) No. 651/2014 of 17 June 2014 and in line with the definition of "company in difficulty" set out in Article 2(18) of that Regulation".

- g) Satisfy the current regulations on foreign investments.
 - h) Satisfy the current regulations on equal treatment and opportunities between men and women in employment and the workplace.
 - i) Not have any outstanding repayments of subsidies or loans with the Administration or be subject to an outstanding recovery order following a preliminary decision of the European Commission that has declared a subsidy unlawful and incompatible with the common market.
 - j) Accept the transfer of data between the Public Authorities involved in order to comply with the provisions of the applicable European regulations and in accordance with Organic Law 3/2018, of 5 December, on the Protection of Personal Data and the guarantee of digital rights (Sample Annex V).
2. The funding rules in Article 16 of the order do in addition establish how these requirements are to be proven.

Paragraph 6. Obligations of beneficiaries.

Beneficiaries must comply with the obligations referred to in Article 6 of the Order and the funding rules, which are as follows:

- a) The obligations set out in Article 14 of Law 38/2003 of 17 November.
- b) Maintain a separate accounting system that makes it possible to distinguish the recording of all transactions relating to the project for which the subsidy is granted, using a dedicated accounting code for this purpose.
- c) Inform ICEX of any application or obtainment of other subsidies for the performance of the financed activities.
- d) Accept their inclusion in a list of beneficiary companies published on the ICEX and Invest in Spain websites (www.icex.es and www.investinspain.org).
- e) As part of the design and implementation of the subsidised activities, the beneficiary companies shall ensure respect for the principle of "Do No Significant Harm", as provided for in the Recovery Plan in Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 and its implementing regulations, in particular the Commission Communication regarding the Technical Guidelines on the application of the principle of "not causing significant harm" as part of the Regulation on the Recovery and Resilience Facility, in addition to the requirements of the Council Implementing Decision approving the assessment of Spain's recovery and resilience plan.
- f) Demonstrate, at any time upon request that it complies with the current regulations on equal treatment and opportunities between women and men in employment and the workplace.

g) The beneficiary companies shall also comply with European and national obligations as regards the financing of the EU Recovery and Resilience Facility. They shall therefore comply with the following:

1) They shall be subject to the supervisory activities performed by EU institutions pursuant to Article 22(2)(e) of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February.

2) For the purposes of auditing and monitoring the use of funds in electronic form, they shall collect the harmonised categories of data referred to in Article 22(2)(d) of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February. This data shall be entered into a single database.

3) They shall be responsible for reliability and monitoring with respect to implementation of the subsidised activities, making it possible at all times to ascertain the degree to which each activity is achieved..

4) They shall establish mechanisms to ensure that the activities to be undertaken by third parties contribute to the achievement of the planned actions and that these third parties provide the information that, as necessary, is required to calculate the value of the corresponding indicators, milestones and objectives under the Recovery Plan.

5) They shall assume responsibility for maintaining an adequate audit trail of the activities performed within the framework of this subsidy, and the obligation to keep the supporting documents. Information will be supplied under the terms established by the Ministry of Finance and Public Service pursuant to the corresponding national and European Union regulations.

6) Keep documents in electronic form for a period of five years after the payment of the amount or, in the absence of such payment, of the transaction, pursuant to Article 132 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No. 1296/2013, (EU) No. 1301/2013, (EU) No. 1303/2013, (EU) No. 1304/2013, (EU) No. 1309/2013, (EU) No. 1316/2013, (EU) No. 223/2014, and (EU) No. 283/2014, and Decision No. 541/2014/EU and repealing Regulation (EU, Euratom) No. 966/2012. This period shall be three years when the funding is for less than 60,000 euros.

7) Ensure the consistency of the underlying expenditure and the adoption of measures aimed at preventing, detecting, reporting and correcting fraud and corruption, preventing a conflict of interests and double funding.

h) Comply with the advertising and information obligations in article 23 of the order establishing the programme's funding rules.

Paragraph 7. *Competent bodies in relation to the instruction and resolution of the procedure.*

1. As regards the competent bodies for the examination and resolution of the procedure, the provisions of Article 11 of the order establishing the programme's funding rules shall apply.
2. The Department for the Financing of Research and Innovation, part of Invest in Spain's Executive Management at ICEX, shall be responsible for the instruction and organisation of the procedure for awarding subsidies. This body shall also be responsible for monitoring activities in receipt of funding.
3. The Assessment Committee shall be appointed by the head of the Regional Ministry and will be made up of the following:
 - a) The Head of Invest in Spain's Executive Management, who will act as Chair, although this position may be delegated to the Head of the Management team in charge of the programme.
 - b) The Head of the Management team in charge of the programme, who may delegate this position to the head of the corresponding department.
 - c) The head of the Economic and Finance Department, who may delegate this position to the Deputy Head of the Economic Finance Department.
 - d) Up to a maximum of four public sector experts in the field of foreign investment, EU programmes and R&D activities.
 - e) The General Secretary, who may delegate this position to the Deputy Head of the Legal Advice Department, who will act as Secretary.

Decisions shall be taken by a simple majority of the members with the right to vote. The Secretary shall have the right to speak, but not to vote.

Its functioning shall comply with the provisions set out in Section 3 of Chapter 2 of the Preliminary Title of Law 40/2015 of 1 October on the Public Sector Legal System, using the human and material resources currently available to ICEX, and pursuant to the provisions of Article 2.2 of Royal Decree 776/2011 of 3 June, abolishing certain professional bodies and establishing criteria for standardisation in the creation of professional bodies within the National Administration and its Public Entities.

4. The resolution of the procedure shall correspond to the Chair of ICEX, notwithstanding any delegation of powers that may be in place at any given time.
5. The ethical performance of the investigating body, the assessment committee and the award body will adhere to the Code of Ethics and Conduct published on the ICEX website:
<https://www.icex.es/icex/es/navegacion-inferior/codigo-etico-conducta/index.html>.
6. Generally speaking, pursuant to the rules set out for the prevention of fraud, all persons involved in the procedure for selecting beneficiaries and ensuring compliance with the corresponding conditions, including the members of the Assessment Committee, shall reinforce their commitment to this objective by making a conflict of interest disclosure statement, undertaking to keep this up to date in the event that the

circumstances as regards the original declaration change, which will prevent them from participating in the procedure. The template provided for in Annex IV.A to Order HFP/1030/2021 of 29 September, which sets out the management system for the Recovery, Transformation and Resilience Plan, shall be used to achieve this.

Paragraph 8. *Deadline for the submission of applications.*

The time period for submitting applications shall begin on the day following the date on which the extract of the call for applications is published in the Official State Gazette, and it will end within 2 months (at 23:59:59 Spanish mainland time), to be counted from the day after the date on which the call for applications is published in the aforementioned Gazette. Applications submitted after the deadline shall be considered inadmissible.

Paragraph 9. *Formalisation of applications and submission of documents and information that must accompany the application.*

1. Applications shall be submitted via the ICEX e-Office (<https://oficinavirtual.icex.es/planesempresa/login>), which can be accessed via the ICEX website at www.icex.es, and the INVEST IN SPAIN website at www.investinspain.org, depending on the template available for the subsidy in question. Processing shall be carried out electronically, and will require a digital certificate recognised by ICEX.

2. In addition to the application filled out online applicants shall also submit, via the e-Office:

a) Annex I, Project Report, including a description and the aims of the project, in addition to the corresponding technical information.

b) Annex II, Financial data, providing economic and financial information.

c) Other documentation that the applicant considers relevant to the assessment of the project, such as the Compensation System or collaboration agreements.

d) Written declaration granting the necessary rights and access to ensure that the Commission, the European Anti-Fraud Office ("OLAF"), the European Court of Auditors, the European Public Prosecutor's Office and the competent national authorities can exercise their powers.

e) They shall also state that they accept the transfer of data between the Public Authorities involved in order to comply with the provisions of the applicable European regulations and in accordance with Law 3/2018 of 5 December, on the Protection of Personal Data and the guarantee of digital rights, in accordance with the model established in Annex IV.B of Order HFP/1030/2021 of 29 September.

f) The following statements of compliance:

1. Statement of Compliance in which the applicant lists any subsidies requested or received from other Authorities or bodies for the same purpose and amount, in

addition to committing to provide information on any that may be requested or obtained while these subsidies remain active.

2. Statement of Compliance indicating that they have no outstanding debts in relation to the repayment of subsidies, loans or advances with the Administration and that they are not subject to an outstanding recovery order following a previous decision from the European Commission declaring the subsidy unlawful and incompatible with the common market.

3. Statement of Compliance indicating that they are not affected by any of the prohibitions referred to in Article 13.2 of Law 38/2003 of 17 November, pursuant to the provisions of Articles 26 and 27 of the Subsidies Regulation, approved under Royal Decree 887/2006 of 21 July.

4. Statement of Compliance regarding the commitment to comply with the cross-cutting principles established in the Recovery Plan and that could affect the aspect subject to management, pursuant to the model established in Annex IV.C to Order HFP/1030/2021 of 29 September.

5. Statement of compliance with the requirements established in the funding rules and in this call for applications, in accordance with the template included in Annex III of this call for applications.

6. Statement of Compliance indicating that no significant harm is caused to the six environmental objectives, pursuant to Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, as per the model set out in Annex IV to this call.

7 Other statements of compliance whose forms are approved by the competent authorities in accordance with national and European regulations prior to the deadline for submission of applications, in compliance with the obligations required under the Recovery Plan.

Paragraph 10. Procedure.

1. Pursuant to Article 7 of this call, The Department for the Financing of Research and Innovation, attached to Invest in Spain's Executive Management at ICEX, shall be responsible for the instruction and organisation of the procedure for awarding subsidies, which shall perform as many actions as it deems necessary ex officio to determine, establish and verify the data on which the proposed resolution is based.

2. Once the deadline for submitting applications has elapsed, and once compliance with the requirements has been ensured, the body responsible for the procedure shall publish a provisional list of accepted applications that were submitted on time and that will, therefore, move on to the assessment phase on the ICEX and Invest in Spain websites (www.icex.es and www.investinspain.org).

Furthermore, the body responsible for the procedure shall at the same time publish a provisional list of applications that have been rejected, with the reasons for their rejection on the ICEX and Invest in Spain websites (www.icex.es and www.investinspain.org), allowing the affected parties to submit the documentation required within 10 working days from the day following the publication of the provisional list in order to correct the corresponding shortcoming.

Once the deadline for submitting corrections has elapsed, a final list of the accepted and rejected applications will be published using the same means.

3. The assessment body is the Assessment Committee, assisted by the body responsible for the procedure. It shall be responsible for the technical analysis and economic feasibility of the applications accepted. Subsequently, it will issue a report indicating the result of the assessment performed, as established in Article 24.4 of Law 38/2003 of 17 November.

4. The members of the Assessment Committee shall not receive any remuneration for the performance of their corresponding duties.

5. The body responsible for the procedure, based on the file and the report from the Assessment Committee, will prepare the proposed provisional resolution up to the maximum subsidy amount that may be allocated, providing a suitable reasoned explanation. This will then be communicated to the beneficiaries.

6. It will in addition communicate the proposed provisional resolution with respect to all applications that comply with the administrative and technical conditions established to acquire the status of beneficiaries, but which have been unsuccessful as the maximum authorised amount for each call for applications has been reached.

7. Proposed resolutions will be published at www.icex.es and www.investinspain.org.

Together with this publication, the examining body will send an individual provisional communication by e-mail to the companies entitled to receive a subsidy, requesting them to provide the following documentation:

a) A template, in which they can indicate whether they accept the proposed subsidy.

b) An agreement between the parties for outsourcing cases, pursuant to the programme's conditions.

c) The company's articles of association, indicating the percentage of foreign-owned share capital.

d) Valid evidence of the signatory's power of attorney.

e) Any considered necessary in specific cases.

Paragraph 11. Award resolution.

1. Following the publication of the proposed provisional resolution, a period of 10 working days shall be granted for the submission of objections.
2. In the event that funds are released before the approval of the final resolution, due to the beneficiary company for a subsidy withdrawing from the process or failing to properly demonstrate the requirements to be named a beneficiary, the funds released will be allocated, without the need for the Assessment Committee to meet again, to the next applicant in the list following the last beneficiary awarded the subsidy based on the score obtained.
3. Once the reasons put forward by the interested parties have been examined, where appropriate, the final resolution proposal will be issued, following a favourable report by the Budget Committee on the approval of the expenditure. This must state the list of applicants for whom it is proposed to award subsidies, and their amounts, specifying the evaluation and assessment criteria, and being submitted by the examining body to the awarding body for it to issue the final resolution.
4. The final resolution will be published on the ICEX and Invest in Spain websites (www.icex.es/www.investinspain.org) and on the National Subsidies Database, and it will be communicated to the interested parties within 20 working days from the date on which the instrument is issued.
5. The maximum period for issuing and providing notification of the award decision shall be six months after the end of the period for submitting applications.

Pursuant to Article 25(5) of Law 38/2003 of 17 November, should this period end without any resolution having been communicated, the interested companies shall consider that their application has been rejected on account of administrative silence in response to their application for subsidies.

Similarly, pursuant to Article 25.3 of Law 38/2003 of 17 November, and in addition to containing the list of companies to which the subsidy is being awarded, the resolution will indicate, where appropriate, the list of alternatives and state that all other applications have been rejected.

Paragraph 12. Criteria for assessing applications.

1. The assessment will be carried out in accordance with the selection criteria indicated in the funding rules in Article 18 of the Order and corresponding to the following table:

CRITERION	WEIGHTING
a) Impact on employment.	30
b) Investment in technological resources used for the purposes of R&D.	20

c) Promotion of partnership agreements with public and private stakeholders.	15
d) Continuity in the performance of R&D activities.	15
e) Contribution to the ecological transition and digital transformation.	20
Total	100

Applications that do not reach a minimum of 45 points, as set out in the table, will be directly ruled out.

In the event of a tie, priority will be given to those awarded the highest score for criterion a), "Impact on employment", in the table above.

2. In the evaluation of each assessment criterion, consideration shall be given to the following aspects:

a) Impact on employment (30 points)

1) Impact on job creation (20 points)

In the assessment of this sub-criterion, consideration shall be given to the intensity of the investment project in recruiting new personnel to participate in the project. The recruitment of new qualified workers, especially on permanent contracts, will be viewed positively.

2) Impact on maintaining jobs (5 points)

In the assessment of this sub-criterion, consideration shall be given to the intensity of the investment project in creating a workload for workers already employed by the company. The participation of qualified, permanent workers will be regarded positively.

3) Impact on the gender gap (5 points)

5 points will be awarded when the salaries of men and women with the same responsibilities are similar. To prove this, the applicant may present the company's Compensation System or any document that proves this.

b) Investment in technological resources used for the purposes of R&D (20 points)

In the assessment of this criterion, consideration shall be given to the investment volume. Expenses on items with a marked R&D component, such as those relating to patents or licenses, will be regarded positively. The launch of the project being associated with a patent or license acquired and/or the result of the project being subject to a patent or license shall be regarded positively.

c) Promotion of partnership agreements with public and private stakeholders (15 points).

As regards this criterion, the technological contribution made to the project by other agents operating in Spain, whether public or private, will be taken into consideration. Consideration shall be given to both the weight of the work for which the collaborating agent is responsible and the technological quality of the work. Letters of intent, agreements and other documents detailing the work to be carried out with the collaborators may be submitted to demonstrate this collaboration.

d) Continuity in the performance of R&D activities (15 points)

For the purposes of assessing this criterion, the long-term contribution of the project to R&D activities in Spain by the beneficiary company and, where appropriate, its group shall be taken into consideration. This assessment shall duly verify the foreign owner's plans to undertake new R&D activities in Spain as a result of the project for which funding is being requested, particularly plans for opening new units where future R&D projects can be carried out.

e) Contribution to the ecological transition and digital transformation (20 points)

1) Contribution to the ecological transition (10 points)

As regards this criterion, the project's contribution to the ecological transition shall be assessed pursuant to Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment.

2) Contribution to the digital transformation (10 points)

To assess the project's contribution to the digital transformation, consideration shall be given to the digital innovation of the project; the intensity with which digital technologies are used; and the impact of these technologies on other industries and society as a whole.

Paragraph 13. Means of notification and publication.

As regards the means of notification and publication of the award, the provisions of Articles 12, 19 and 20 of the order establishing the programme's funding rules shall apply.

Paragraph 14. Period for the performance of the eligible activities.

1. Eligible projects shall be implemented once the subsidy has been applied for, not extending beyond 30 June 2024.

2. In accordance with Article 8 of the Order establishing the funding rules, subsidies will be awarded for the costs of industrial research or experimental development projects that fall within the following eligible expenditure items:

- a) staff costs: researchers, technicians and other auxiliary staff, in so far as they are employed full-time on the project. Beneficiaries are required to prepare time sheets signed by their employees.
- b) the costs of instruments and equipment, in so far as they are used for the project during the period. When the instruments and equipment are not used throughout their useful life for the project, only depreciation costs incurred during the project's duration, calculated using generally accepted accounting principles, shall be considered eligible;
- c) the costs of buildings and land, in so far as they are used for the project during the period. As regards buildings, only depreciation costs incurred during the project's duration, calculated using generally accepted accounting principles, shall be considered eligible. In the case of land, the commercial transfer costs or capital costs actually incurred shall be considered eligible;
- d) the costs of contractual research, knowledge and patents acquired or licensed from external sources under conditions of full competition, as well as the costs of consultancy and equivalent services devoted exclusively to the project;
- e) overheads and other additional operating expenses, including the cost of materials, supplies and similar products directly attributable to the project. These general costs shall not exceed 15% of the eligible staff costs.
- f) Under no circumstances shall indirect taxes be considered eligible expenses.
- g) Projects that do not fully comply with the EU's climate and environmental rules and priorities and the principle of 'Do No Significant Harm', as per the meaning defined in Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, shall not be eligible. The following shall not be eligible for funding, in so far as they do not apply to items and expenses for which these subsidies are intended:
 - i) Investments relating to fossil fuels (including subsequent use).
 - ii) Activities under the Emissions Trading System (ETS) with projected greenhouse gas emissions that are not substantially lower than the reference levels set for free allowance allocation.
 - iii) The treatment of waste generated using mechanical biological treatment (MBT), incineration or landfills.
 - iv) Activities where long-term disposal of waste may cause long-term damage to the environment (e.g. nuclear waste).

Furthermore, only activities that comply with the relevant national and European environmental legislation may be selected.

Paragraph 15. Rationale for subsidies.

1. The rationale as regards compliance with the purpose of the subsidy in undertaking the project for which it was awarded, and a reasoned explanation of expenses incurred, shall be submitted electronically and digitally via ICEX's e-Office <https://oficinavirtual.icex.es/justificacionayudas/inicio>. A reasoned explanation shall be provided pursuant to the conditions set out in the award resolution, once the project has been undertaken and no more than three months thereafter, with the possibility of extending this deadline by a maximum of three additional months, subject to a request for extension from ICEX.

However, in cases where the beneficiary requests the partial payment of the subsidy awarded, pursuant to the provisions of section 16 of this call, a partial explanation of the expenses incurred up until the date indicated in that section (31 December 2023) shall as a result be provided before the project actually comes to an end.

2. The late submission of any documents certifying the eligible investment shall lead to the withdrawal of the subsidy awarded.

3. The expenses incurred shall be proven by submitting evidence of the expenditure incurred, pursuant to the provisions of the certification manual published on the ICEX and Invest in Spain websites, available at www.icex.es/criteriosjustificacion. This supporting economic report shall contain:

a) A summary sheet containing the budget approved for the activity and its comparison with the budget actually used, breaking down the expenses into the annual periods and items appearing in the granting of the award.

b) A numbered list of expenses and investments in relation to the activity, providing all the necessary supporting documents and amounts paid, as well as the total sum. It shall also include identification of the payer and the document, the total amount and the part used on the project, the date of issue and date of payment, making reference to any possible deviations from the approved budget and explanations for these deviations.

c) A list of other income or subsidies used to fund the activities, with an indication of the amount and origin, as applicable.

d) Unless submitted previously, three quotes for when the amount of the eligible expenditure exceeds 15,000 euros that, pursuant to Article 31.3 of Law 38/2003 of 17 November, on General Subsidies, must have been requested by the beneficiary. In the event that the amount included in the requirement to request three quotes is modified in the ICEX Internal Procurement Instructions, the provisions of the latter shall apply.

e) In the event that ICEX has not been authorised in the application to consult the applicant's status with the Social Security and the Tax Authority, certificates demonstrating that it is up to date in the payment of its tax and social security obligations, pursuant to the provisions of Article 14(1)(e) of Law 38/2003 of 17 November.

f) A certificate from the company, signed by an individual with sufficient power, regarding the costs of in-house staff working on the project (with a breakdown of people, professional category, hours worked and cost/hour), attaching a copy of the payroll

document and documents TC1 and TC2 (only the sheet corresponding to the person or persons assigned to the project). Time sheets signed by the employees must in addition be submitted to show proof of the work carried out.

g) When recruiting highly qualified personnel, a certificate of the employment history of the recruited staff issued by the Social Security, in addition to the documentation listed in the above point.

h) Any other documentation that the body responsible for the procedure deems necessary to correctly justify the costs of the activities undertaken.

4. Compliance with the purpose of the subsidy shall be demonstrated by the beneficiary in the form of a technical report, indicating the activities undertaken and the results obtained, containing:

- a) Identification of the beneficiary and their status as a foreign-owned company.
- b) Regional location of the activity.
- c) Contribution to the pillars of the Recovery Plan (Ecological Transition, Digital Transformation, Social and Territorial Cohesion, Gender Equality).
- d) Information on compliance with contracts and agreements entered into with subcontractors (research centres, Universities, companies, etc.)
- e) Activities undertaken.
- f) Modifications made, as applicable, along with justification of the need for these.
- g) Results obtained and their dissemination.
- h) Conclusions.

Paragraph 16. *Payments*

1. The subsidy shall only be paid once the corresponding activities forming part of the project or activity are undertaken, having certified compliance with the purpose for which the subsidy was awarded, and after reviewing the supporting documents submitted as regards expenses incurred. ICEX reserves the right to perform any checks it deems appropriate, including a physical check of the project.

2. However, beneficiary companies may request a partial payment of the subsidy awarded for work carried out between 1 January 2023 to 31 December 2023. Beneficiary companies wishing to apply for this partial payment must demonstrate the achievement of clearly identified results in the subsidised R&D project for the period indicated. The body responsible for the procedure will open a one-month period in which companies requesting partial payment can submit the technical and economic rationale for the work performed so that the corresponding checks can be carried out. The examining body will decide whether to approve the partial payment, based on the achievement of partial results, or to reject it, in which case all eligible expenditure will be checked at the end of the eligible period. The amount of the partial payment is determined on the basis of the

accepted expenditure and the corresponding subsidy level. The procedures for justifying the expenditure established in the funding rules shall apply, as well as the instructions set out in the award decision.

Paragraph 17. *Compatibility with other subsidies.*

1. The receipt of subsidies provided for in this call shall be compatible with the receipt of any others that, for the same purpose, may be offered by other public authorities or other public or private, national, regional or local bodies, provided that the combined sum of the subsidies does not exceed the total cost of the subsidised activity or the ceilings set out in this section.
2. Pursuant to Article 8 of Commission Regulation (EU) No 651/2014 of 17 June 2014, the subsidy covered by this call may be combined with State subsidies granted by any other public authority, provided that they relate to different identifiable eligible costs. Furthermore, these subsidies may be combined with State subsidies awarded by any other public authority when they are wholly or partly related to the same eligible costs, and only when this combination does not exceed the aid intensity or the highest aid amount applicable to the subsidy in question, pursuant to Commission Regulation (EU) No 651/2014, of 17 June 2014.
3. Pursuant to Article 9 of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021, projects covered by this call may receive support from other EU programmes and instruments provided that this support does not cover the same cost.

Paragraph 18. *Non-compliance.*

1. Non-compliance, reimbursements and penalties are regulated in articles 25 and 26 of the order that establishes the programme's funding rules.
2. In cases of non-compliance in relation to the value of the eligible investment budgeted for, the value to be deducted from the subsidy shall be determined by taking the value of the unjustified amount, when compliance by the beneficiary is equal to or greater than 60% of the budgeted investment and it demonstrates that unmistakable action has been taken with a view to satisfying its commitments and the subsidy award conditions.

Paragraph 19. *Resources*

1. The instruments issued as part of the procedure for awarding subsidies may be challenged in the cases and forms established in Law 39/2015 of 1 October, on the Common Administrative Procedure of Public Authorities. In this regard, an appeal for reconsideration may be lodged against the express resolution, in accordance with Article 114 of Law 39/2015 of 1 October, within a period of one month from the day following its notification, in accordance with the provisions of Articles 123 and 124 of Law 39/2015 of

1 October. An administrative appeal may also be made before the competent administrative courts, within two months from the day following notification or publication of the resolution, in accordance with the provisions of Law 29/1998, of 13 July, regulating Administrative Jurisdiction.

2. Appeals for reconsiderations with respect to the reversal of award procedure resolutions shall be filed electronically, pursuant to Law 39/2015 of 1 October.

Paragraph 20. Advertising and information.

1. This call for the 2021 Programme, in accordance with Article 4 of the Order establishing the programme's funding rules, will be published on the ICEX and Invest in Spain (www.icex.es/www.investinspain.org) websites, as well as on the National Subsidies Database (hereinafter, BDNS) and an extract in the "Official State Gazette", in accordance with the provisions of Article 17.3.b) and 20.8 of Law 38/2003 of 17 November.

2. Furthermore, the beneficiaries must comply with the following advertising and information obligations:

a) Those relating to the funding of the Recovery and Resilience Facility, pursuant to the applicable European and national regulations. In particular, in accordance with Order HFP/1030/2021 of 29 September, establishing the management system for the Recovery, Transformation and Resilience Plan, the following logos must be included in the information and communication measures with respect to actions involved in the investments (informative posters, signs, printed and electronic publications, audiovisual material, websites, media articles, certificates, etc.):

1 The European Union flag,

2 Together with the emblem of the Union, the text "Funded by the European Union – Next Generation EU";

3 Consideration shall be given to the graphic standards and standardised colours set out in Annex II to Implementing Regulation 821/2014, which lays down rules for the application of Regulation (EU) No. 1303/2013 of the European Parliament and of the Council as regards detailed arrangements for the transfer and management of programme contributions, the reporting on financial instruments, technical characteristics related to information and communication measures for operations and the system to record and store data. The following website can also be consulted: <http://publications.europa.eu/code/es/es-5000100.htm> and different examples of the flag can be downloaded at: https://europa.eu/european-union/about-eu/symbols/flag_es#download.

b) Those set out in Article 18 of Law 38/2003 of 17 November. In this regard, any reference in any media in relation to the approved investments shall include reference to the fact that they have been funded by the Ministry of Industry, Trade and Tourism.

Failure to comply with this obligation shall be considered a minor breach pursuant to Article 56(c) of Law 38/2003 of 17 November, and will be sanctioned in the form of a fixed fine as provided for in Article 59 of this law. Furthermore, this may be considered as a cause for repayment pursuant to the provisions of Article 37(1)(d) of Law 38/2003 of 17 November and Article 93 of its Implementing Regulations, approved by Royal Decree 887/2006 of 21 July.

- c) Any reference in any media to the approved investments shall use the Recovery Plan logo as a means of dissemination, available at <http://planderecuperación.gob.es/identidad-visual>
- d) When co-funded by another authority, this shall be reflected when advertising the project.

All information posters and plaques shall be placed in a clearly visible location that is accessible to the public.

Paragraph 21. Personal data protection.

Pursuant to the provisions of Organic Law 3/2018 of 5 December, on personal data protection and the guarantee of digital rights, and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, it is hereby indicated that:

- a) Pursuant to the provisions of the aforementioned regulations, ICEX has a Personal Data Protection Policy in place. To this end, the purpose of the collection and automated processing of personal data requested under this procedure is to manage your participation in the ICEX programme known as INNOVA INVEST. Furthermore, the application will entail accepting the transfer of data between the Public Authorities involved in order to comply with the provisions of European regulations.
- b) The data subject is required to provide the details requested by ICEX. Should they refuse to provide these details, they shall not be allowed to participate in this programme.
- c) The data subject provides their consent for the processing of their personal data by ICEX, in accordance with the purpose indicated above.
- d) Once the data subject's involvement in the programme run by ICEX has come to an end, ICEX shall retain the data for the period required by law to comply with its legal obligations, notwithstanding the rights of the data subject, which may be exercised at any time pursuant to the provisions of the following points.
- e) ICEX will at no time use its users' personal data for purposes other than those mentioned above. Furthermore, the data subject declares that all of their data provided are true and correct, being bound to notify ICEX of any changes in relation to these.
- f) The data subject is entitled to oppose the processing of any of their data that are not absolutely necessary for formalising their involvement in the programme, as well as their

use for any purposes other than the maintenance of their contractual relationship. They may exercise their rights of access, rectification, erasure, opposition, restriction of processing and portability at any time, when these rights are applicable, by sending an email to our Data Protection Officer at delegadoprotecciondatos@icex.es, attaching a photocopy of their DNI (Spanish ID) or an equivalent identification document and substantiating their request.

g) Furthermore, if the data subject believes that their data has been processed inappropriately, they shall retain the right to file a claim with the Spanish Data Protection Agency (C/. Jorge Juan, 6 – 28001 Madrid www.aepd.es) or with ICEX's Data Protection Officer.

Paragraph 22. Effectiveness.

1. This call for applications will take effect from the day following the date when the corresponding abstract is published in the Official State Gazette.

2. An appeal for reconsideration may be lodged against this Resolution with the issuing body, which exhausts all administrative channels, within a period of one month and in accordance with the provisions of articles 123 and 124 of Law 39/2015 of 1 October, on Administrative Procedure. A direct administrative legal appeal may also be lodged within a period of two months with the Central Administrative Courts, in accordance with the provisions of Law 29/1998 of 13 July, regulating Administrative Jurisdiction.

The Chair of ICEX Spain Export and Investment

Procedure (Resolution of 7 October 2019 "BOE" no. 252 of 19 October 2019)

The Managing Director of ICEX Spain Export and Investment,

María Peña Mateos

ANNEXES

The following annexes shall be downloaded from www.icex.es or www.investinspain.org and attached to the application via ICEX's e-Office (<https://oficinavirtual.icex.es/planesempresa/login>)

ANNEX I - PROJECT REPORT

1.1. DESCRIPTION OF THE CONTENT, OBJECTIVES AND TECHNOLOGICAL INNOVATIONS PROVIDED BY THE PROJECT
1.1.1 Background
1.1.2 Project Objectives
1.1.3 Technological developments
1.1.4 Work plan
1.1.5 Results
1.1.6 Knock-on effect on the regional economy
1.1.7 Strategic interest of the technologies to be developed in Spain
1.1.8 Other <i>(add other information that the applicant considers relevant to the project assessment)</i>

Add more pages if necessary

1.2. BREAKDOWN OF TECHNICAL ACTIVITIES IN COLLABORATIONS, DISTINGUISHING BETWEEN PUBLIC AND PRIVATE STAKEHOLDERS IN THE PROJECT

1.2.1 Promotion of collaboration agreements between private stakeholders

1.2.2 Promotion of collaboration agreements between public stakeholders

1.3. CONTINUITY IN THE PERFORMANCE OF R&D ACTIVITIES

1.4. CONTRIBUTION TO THE ECOLOGICAL TRANSITION AND DIGITAL TRANSFORMATION

1.5. CONTRIBUTION TO GENDER EQUALITY

1.6. IF THE PROJECT BUDGET INCLUDES PATENTS, LICENCES, ETC., PLEASE DESCRIBE THESE BELOW OR INDICATE "NOT APPLICABLE"

1.7. PROJECT RESULT ADVERTISING AND MARKETING, INCLUDING SPECIFIC REFERENCES

ANNEX II - FINANCIAL DETAILS

1.1. STATEMENT OF PROFIT AND LOSS (In euros without decimals) Data as at 31 December each year	HISTORIC		FORECAST		
	2020	2021	2022	2023	2024
OPERATING INCOME (1)					
- REVENUE					
Domestic Sales					
Exports					
- OTHER INCOME					
Subsidies					
Other income					
OPERATING EXPENSES (2)					
- OPERATING CONSUMPTION					
- STAFF COSTS					
- PROVISION FOR FIXED ASSET DEPRECIATION					
- OTHER COSTS					
OPERATING RESULTS (1) – (2)	€0	€0	€0	€0	€0
NET FINANCIAL INCOME					
EXTRAORDINARY PROFIT					
PRE-TAX PROFIT					
TAXES					
RESULTS FOR THE YEAR					

1.2. SUMMARY BALANCE SHEET (In euros without decimals) Data as at 31 December each year	HISTORIC		FORECAST		
	2020	2021	2022	2023	2024
NET FIXED ASSETS					
- INTANGIBLE FIXED ASSETS					
- PROPERTY, PLANT AND EQUIPMENT					
- FINANCIAL FIXED ASSETS					
- OTHERS					
CURRENT ASSETS					
OTHERS					
- TOTAL ASSETS					
SHAREHOLDERS' EQUITY					

- SHARE CAPITAL					
- RESERVES					
- OTHERS					
LONG-TERM PAYABLES					
SHORT-TERM PAYABLES					
OTHERS					
TOTAL LIABILITIES					

1.3. TOTAL STAFF AT THE APPLICANT COMPANY OR ORGANIZATION	HISTORIC		FORECAST		
	2020	2021	2022	2023	2024
MANAGEMENT AND ADMINISTRATION (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					
PRODUCTION (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					
SALES (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					
R&D (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					
Others (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					
Total (No. of individuals)					
<i>From the previous entry, indicate the number of women</i>					

1.4 R&D PROPERTY, PLANT AND EQUIPMENT AT THE APPLICANT ORGANIZATION	HISTORIC		FORECAST		
	2020	2021	2022	2023	2024
Land and Buildings					
Hardware and Software					
Others					

1.5. ANNUAL OUTGOINGS ON R&D AT THE APPLICANT ORGANIZATION	HISTORIC		FORECAST		
	2020	2021	2022	2023	2024
ACTIVE INVESTMENTS IN R&D TANGIBLE FIXED ASSETS					
Land and Buildings					

Hardware and Software					
Others					
CURRENT R&D COSTS					
Staff					
<i>From the Staff costs indicated in the previous entry, indicate the amount corresponding to women</i>					
Materials					
Other Costs					
TOTAL INVESTMENT AND EXPENSES	€0	€0	€0	€0	€0



ANNEX 3

AFFIDAVIT BY THE APPLICANT

I, the undersigned, on behalf of the applicant organisation:

DECLARE :

- That the applicant organisation complies with all the requirements indicated in the Funding Rules and Application necessary to obtain the status of beneficiary.
- That the applicant has applied for or received the aid from other Authorities or bodies for the same purpose and amount, and I undertake to notify ICEX ESPAÑA EXPORTATION AND INVESTMENT in writing of any modification to the public funding applied for or received, providing notification of this within a maximum period of 15 days from the date of receipt.

Date	Agency	Amount in Euros	Requested/Granted

- That the applicant does not have any debts for repayment of aid, loans or advances with the Administration, nor is it subject to an outstanding recovery order following a previous decision by the European Commission declaring aid illegal and incompatible with the common market.
- That the applicant undertakes to grant the necessary rights and access to ensure that the European Commission, OLAF, the European Court of Auditors, the European Public Prosecutor's Office and the competent national authorities exercise their powers with respect to Recovery, Transformation and Resilience Plan grants. I also expressly grant the authorisation provided for in Article 22(2)(e) of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021.
- That the applicant is not covered by any of the prohibitions referred to in Article 13.2 of Law 38/2003 of 17 November, in compliance with the provisions of Articles 26 and 27 of the Subsidies Regulations, approved by Royal Decree 887/2006 of 21 July.
- The highest level of commitment by the organization I represent in relation to compliance with legal, ethical and moral rules, adopting the necessary measures to prevent and detect fraud, corruption and conflicts of interest, reporting any breaches observed to the appropriate authorities. In accordance with the content of the PRTR (**Recovery, Transformation and Resilience Plan**), it does in addition undertake to respect the principles of the circular economy in the implementation of the actions carried out within the framework of the Plan, and states that it is not involved in any double

financing and that, where applicable, it is not aware of any risk of incompatibility with the State subsidies scheme.

Place and date	Applicant's details	
	1 st representative	2 nd representative (in case of joint representation)

ANNEX IV

STATEMENT OF COMPLIANCE WITH THE PRINCIPLE OF 'DO NO SIGNIFICANT HARM' TO THE SIX ENVIRONMENTAL OBJECTIVES ACCORDING TO ARTICLE 17 OF REGULATION (EU) 2020/852¹

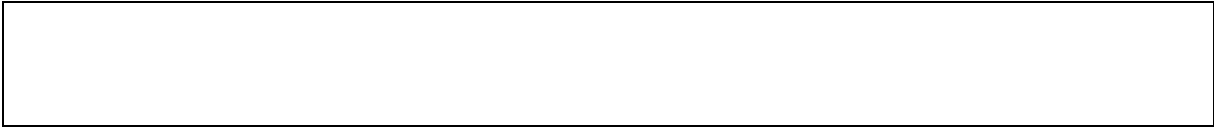
Name of the activity	
PRTR (Recovery, Transformation and Resilience Plan) area the activity belongs to	
PRTR Area Measure (Reform or Investment) the activity belongs to, stating the sub-measure where appropriate	
Climate and environmental labelling assigned to the measure (Reform or Investment) or, where appropriate, to the PRTR sub-measure (Annex VI, Regulation 2021/241)	

Mr/Ms	
Holder of NIF (Tax Identification Number)	
Representing him/herself or the company	
Holder of CIF (Tax Identification Number)	
In his/her capacity as	
Contact details (address, telephone, e-mail)	

STATES

That he/she has submitted a request for the above activity related to the project in question:

¹ Model statement prepared pursuant to the provisions of the "Guidelines for the design and implementation of actions in line with the principle of do no significant harm" to the environment" in Annex IV.



and that it complies with the following:

- A.** The activities carried out therein do no significant harm to the following environmental objectives, as set out in Article 17 of Regulation (EU) 2020/852 establishing a framework to facilitate sustainable investments by introducing a classification system (or 'taxonomy') for environmentally sustainable economic activities:
- 1. Climate change mitigation** - an activity is considered to cause significant harm to climate change mitigation if it results in significant greenhouse gas (GHG) emissions.
 - 2. Climate change adaptation** - an activity is considered to do significant harm to climate change adaptation if it leads to an increased adverse impact of the current climate and the expected future climate, on the activity itself or on people, nature or assets.
 - 3. Sustainable use and protection of water and marine resources** - an activity is considered to do significant harm to the sustainable use and protection of water and marine resources if it is detrimental to the good status or the good ecological potential of bodies of water, including surface water and groundwater, or to the good environmental status of marine waters.
 - 4. Circular economy, including waste prevention and recycling** - an activity is considered to do significant harm to the circular economy, including waste prevention and recycling, if it leads to significant inefficiencies in the use of materials or in the direct or indirect use of natural resources, or if it significantly increases the generation, incineration or disposal of waste, or if the long-term disposal of waste may cause significant and long-term environmental harm.
 - 5. Air, water or soil pollution prevention and control** - an activity is considered to do significant harm to pollution prevention and control if it leads to a significant increase in emissions of pollutants into air, water or land.
 - 6. Protection and restoration of biodiversity and ecosystems** - an activity is considered to do significant harm to the protection and restoration of biodiversity and ecosystems if it is significantly detrimental to the good condition and resilience of ecosystems, or detrimental to the conservation status of habitats and species, including those of Community interest.
- B.** The activities are adapted, where appropriate, to the characteristics and conditions established for the measure and sub-measure in the Area concerned and reflected in the Recovery, Transformation and Resilience Plan.
- C.** The activities carried out under the project will comply with existing applicable environmental regulations.
- D.** The activities carried out are not excluded for financing by the Plan as they do not comply with the DNSH principle, in accordance with the Technical guidance on the

application of ‘do no significant harm’ under the Recovery and Resilience Facility Regulation (2021/C 58/01)², Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Spain and the appropriate Annex³.

1. Construction of crude-oil refineries, coal-fired thermal power stations and projects involving the extraction of petroleum or natural gas, due to failure to comply with the climate change mitigation objective.
 2. Activities related to fossil fuels, including downstream use of fossil fuels, except for projects related to power and/or heat generation using natural gas, as well as related transport and distribution infrastructure, which meet the conditions set out in Annex III of the Technical Guidance of the European Commission.
 3. Activities and assets under the EU Emissions Trading Scheme (ETS) for which the greenhouse gas emissions they will cause are not expected to fall below the relevant benchmarks. Where the greenhouse gas emissions from the subsidised activity are not expected to be significantly below the benchmarks, a reasoned explanation shall be provided.
 4. Compensation for indirect costs of the ETS.
 5. Activities related to waste landfill and incinerators. This exclusion does not apply to actions in plants exclusively dedicated to treating non-recyclable hazardous waste, and to existing plants where the actions are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants’ waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.
 6. Activities related to existing mechanical biological treatment plants. This exclusion does not apply to actions in existing mechanical biological treatment plants, where the actions under this measure are for the purpose of increasing energy efficiency or retrofitting to recycling operations of separated waste to compost bio-waste and anaerobic digestion of bio-waste, provided such actions under this measure do not result in an increase of the plants’ waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.
 7. Activities where the long-term disposal of waste may cause harm to the environment.
- E. The activity carried out does not have a direct impact on the environment, or primary indirect effects across the life cycle, i.e. any that materialise once the activity has been completed.

Failure to comply with any of the requirements set out in this statement shall give rise to the obligation to repay the amounts received and pay any default interest.

Date:

Signature:

² <https://www.boe.es/buscar/doc.php?id=DOUE-Z-2021-70014>

³ <https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A52021PC0322>



ANNEX V

MULTIPLE DECLARATION BY THE COMPANY PARTICIPATING IN THE INNOVA INVEST PROGRAMME AT ICEX ESPAÑA EXPORTACIÓN E

INVERSIONES, E.P.E. FUNDED THROUGH THE RECOVERY, TRANSFORMATION AND RESILIENCE PLAN,

a) *Statement of transfer and processing of data in relation to the implementation of actions under the recovery, transformation and resilience plan (PRTR) (Form Annex IV.B of Order HFP/1030/2021 of 29 September).*

Mr/Ms....., Tax ID [DNI]
....., legal representative of the entity

....., with Tax ID [NIF]....., and registered office at

.....
.....

..... participating in activities necessary to achieve the objectives defined in Part 13 "Promotion of SMEs", declares they are aware of the applicable regulations, in particular the following paragraphs in Article 22 of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Mechanism:

1. Paragraph 2(d): "to collect, for the purpose of auditing and monitoring the use of funds in relation to measures for implementing reforms and investment projects under the Recovery and Resilience Plan, in a searchable electronic format and in a single database, the following standardised categories of data:

i. The name of the company participating in the INNOVA INVEST programme;

ii. the names and dates of birth of the beneficial owners of the company participating in the INNOVA INVEST programme, as defined in Article 3(6) of Directive (EU) 2015/849 of the European Parliament and of the Council (26);

2. Paragraph 3: "The personal data referred to in paragraph 2(d) of this Article shall only be processed by Member States and by the Commission for the purposes and duration of the relevant discharge audit of the final beneficiary of the funds and the control procedures related to the use of the funds in connection with the implementation of the agreements referred to in Articles 15(2) and 23(1).

As part of the Commission's discharge procedure, in accordance with Article 319 of the TFEU, the Facility shall be subject to reporting within the framework of the integrated financial and accountability reporting of the beneficiary referred to in Article 247 of the Financial Regulation and, in particular, separately in the annual management and performance report".

In accordance with the aforementioned legal framework, the above party agrees to the transfer and processing of data for the purposes expressly stated in the aforementioned articles.

a) *Statement of commitment in relation to the implementation of actions related to the recovery, transformation and resilience plan (PRTR) (Form Annex IV.C in Order HFP/1030/2021 of 29 September).*

The undersigned, as a company participating in the INNOVA INVEST programme, declares the commitment of the organization she/he represents to the highest standards in relation to compliance with legal, ethical and moral standards, adopting the necessary measures to prevent and detect fraud, corruption and conflicts of interest, reporting any non-compliance observed to the appropriate authorities.

In addition, in accordance with the content of the PRTR, it undertakes to respect the principles of the circular economy and to avoid significant negative impacts on the environment ("do no significant harm") in executing the actions carried out within the framework of this Plan.

c) *Statement of commitment to certify AEAT census registration or similar*

The undersigned undertakes, once requested by ICEX, to certify registration in the AEAT Census of business persons, professionals and withholders, or in the equivalent Regional Tax Authority census, in accordance with article 8.4 of Order HFP/1030/2021.



....., XX 202X

Signature:

Legal representative.